

## **MINUTES**

### **MONTANA SENATE 57th LEGISLATURE - REGULAR SESSION COMMITTEE ON NATURAL RESOURCES**

**Call to Order:** By **CHAIRMAN WILLIAM CRISMORE**, on January 29, 2001  
at 3:00 P.M., in Room 317-C Capitol.

#### **ROLL CALL**

**Members Present:**

Sen. William Crismore, Chairman (R)  
Sen. Dale Mahlum, Vice Chairman (R)  
Sen. Vicki Cocchiarella (D)  
Sen. Mack Cole (R)  
Sen. Lorents Grosfield (R)  
Sen. Bea McCarthy (D)  
Sen. Ken Miller (R)  
Sen. Glenn Roush (D)  
Sen. Bill Tash (R)  
Sen. Mike Taylor (R)  
Sen. Ken Toole (D)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Nancy Bleck, Committee Secretary  
Mary Vandembosch, Legislative Branch

**Please Note:** These are summary minutes. Testimony and  
discussion are paraphrased and condensed.

**Committee Business Summary:**

Hearing(s) & Date(s) Posted: HB 93, 1/25/2001  
HB 22, 1/25/2001  
Executive Action: None.

#### **HEARING ON HB 93**

**Sponsor:** REP. KIM GILLAN (D), HD 11, Billings



**Proponents:** HOUSE SPEAKER DANIEL W. "DAN" MCGEE (R), HD 21, Laurel  
 REP. JIM SHOCKLEY (R), HD 61, Victor  
 REP. MONICA LINDEEN (D), HD 7, Huntley  
 Gail Abercrombie, Executive Director, Montana Petroleum Association  
 Jeanne Charter, Northern Plains Resource Council  
 Don Allen, Western Environmental Trade Association  
 Lorna Karn, Montana Farm Bureau Federation  
 Jeff Barber, Clark Fork Coalition  
 Julia Page, Northern Plains Resource Council  
 Daniel Dutton, representing himself, Circle D Ranch, Belfry  
 Steve Gilbert, representing himself, Helena  
 Steve Wade, Burlington Northern & Santa Fe Railway  
 SEN. MACK COLE (R), SD 4, Hysham

**Opponents:** None.

**Opening Statement by Sponsor:**

REP. KIM GILLAN, HD 11, Billings, opened by saying that HB 93 was requested on behalf of the Montana Environmental Quality Council (EQC). REP. GILLAN pointed out that the originator of this idea was REP. DAN MCGEE, now SPEAKER OF THE HOUSE. HB 93 was a bill for an act allowing the condemnee and condemnor in a condemnation action the opportunity to provide a statement of appropriate damage reduction measures. It would require that the condemnation commissioners determine the appropriate payment for damages after examining the property. It would also allow for the inclusion of appropriate payment for damages in the final condemnation order and would amend sections 70-30-110, 70-30-203, and 70-30-309 of the Montana codes. This bill developed as a result of discussion in a subcommittee exploring the eminent domain process and law. There was a need to strike a balance between the need for progress for the state of Montana and its citizens and some conflict that arose. It involved the progress with utilities and other types of activities that had historically been able to be granted the right to utilize the eminent domain laws and individual concerns of private property owners. REP. GILLAN stated that HB 93 faced those concerns of balance and compromise by addressing the issue of appropriate payment for damages to the property proposed to be taken as well as to the remaining parcels of property. She provided EXHIBIT (nas23a01), a flow diagram sheet of the eminent domain process in Montana. HB 93 would enable the landowner to identify what potential mitigation might be needed for that portion of the property that was not taken. Through that process, with this



information, the condemnor would have an opportunity to respond to the dispute. Then later the commissioners had an opportunity to go out and look at the land and see whether that was an appropriate mitigation and the determined appropriate payment would then be included as part of the final judgement. She stated what was most important in driving this proposal was that our constitution protected people from damages to their property. Through work with the subcommittee exploring these eminent domain issues, it was learned that even though this right was implicit in the existing eminent domain statutes, many private property owners did not feel they were explicitly having their concerns addressed. Therefore, these modifications to the existing law were brought forward today.

***{Tape : 1; Side : A; Approx. Time Counter : 0.0 - 3.0}***

**Proponents' Testimony:**

**SPEAKER DAN MCGEE, HD 21, Laurel**, said he represented the southwest area of Billings and Yellowstone County. He stood in support of **HB 93**. He stated this idea actually rose from a meeting he had with a rancher from the Tongue River area. The reason this was before us was because of our constitution.

**SPEAKER MCGEE** read article two, section 29 regarding eminent domain, "private property shall not be taken or damaged for public use without just compensation to the full extent of the laws, etc." During the subcommittee's study of the eminent domain process they learned that the confusion with the eminent domain process was that the statutes were unclear. People felt disenfranchised by this public use issue. Once negotiations had broken down and the eminent domain process was utilized for condemnation, the value of the land that went before the court might not include the damage that can occur to the remaining land. The problem he had with this issue was that the current statutes did not address the damage portion of the remaining land. The term he liked to use regarding the concept of mitigation that rose throughout many discussions was damage reduction. **HB 93** would allow an individual to say to the court or the commission that was hearing these cases that they agreed to the payment that covered the value of the taking but chose to negotiate payment for damages to the remaining property. He felt it was a fairness issue and was very important to the rights of the private land owner. He encouraged the committee's adoption of this bill.



**REP. JIM SHOCKLEY, HD 61, Victor**, rose in support of **HB 93** and stated that he represented the northern part of Ravalli County. He said he echoed what the sponsor and first proponent shared. He urged passage of **HB 93**.

*{Tape : 1; Side : A; Approx. Time Counter : 6.7 - 7.2}*

**REP. MONICA LINDEEN, HD 7, Huntley**, rose and stated she served on the Eminent Domain Subcommittee also and studied these issues and strongly supported **HB 93**.

*{Tape : 1; Side : A; Approx. Time Counter : 7.3 - 7.5}*

**Gail Abercrombie, Executive Director, Montana Petroleum Association**, supported **HB 93** and stated their members were intimately involved in the EQC interim study of eminent domain and urged support of **HB 93**.

*{Tape : 1; Side : A; Approx. Time Counter : 7.5 - 7.9}*

**Jeanne Charter, Northern Plains Resource Council**, rose in support of **HB 93** and provided written testimony, **EXHIBIT(nas23a02)**.

*{Tape : 1; Side : A; Approx. Time Counter : 7.9 - 10.3}*

**Don Allen, Western Environmental Trade Association**, supported **HB 93** and stated that this was one of those proposals in the interim committee proceedings that sparked a lot of real open discussion among committee members and others. He stated this represented a step forward in trying to make sure the landowners' interests were looked after and also gave them recognition of their concerns. This particular bill would do a lot from an educational standpoint for everyone involved in the process. He urged DO PASS votes on **HB 93**.

*{Tape : 1; Side : A; Approx. Time Counter : 10.3 - 11.8}*

**Lorna Karn, Montana Farm Bureau Federation**, stood in support of **HB 93** and stated she also echoed the other proponents' reasoning for support of this good bill. She felt it protected the property rights of farmers and ranchers.

*{Tape : 1; Side : A; Approx. Time Counter : 11.8 - 12.3}*

**Jeff Barber, representing the Clark Fork Coalition** which was a group of citizens, scientists, farmers, ranchers, recreationalists and others concerned about maintaining and restoring water quality in the Clark Fork valley. Their interest



in this issue stemmed from the proposed, and since scrapped, re-route of the Yellowstone Pipeline. They felt this bill clarified the damages to the remainder under existing law. They especially liked section one, subsection two, that would give the landowner, for the first time clearly in law, a chance to state to the condemning entity what they thought was necessary to mitigate the damages to their property. He urged passage of **HB 93**.

***{Tape : 1; Side : A; Approx. Time Counter : 12.3 - 13.5}***

**Julia Page, a Gardiner business owner, representing Northern Plains Resource Council**, rose in support of **HB 93**. She stated she also was a public member of the EQC this last interim and worked on the study on the Eminent Domain Subcommittee. She stated she was familiar with the changes being made here. This bill had gained a lot of support though that was not always the case. When the study began there was not much agreement on any issue regarding eminent domain. After a lot of discussion, the study committee finally broke down the law into various elements and looked at them very specifically, one at a time. They, then, were able to make some progress and this bill was one of the results of that. One of the over-riding principles in allowing government or an entity granted the eminent domain right in taking someone's property without their consent and against their wishes was the principle that this act was for the greatest public good with the least private harm. **HB 93** addressed the issue of mitigation and helped clarify an issue that a number of people came to them and stated they had a problem with. Every landowner now would have a chance to negotiate the kind of conditions that went into the kind of agreement they would make with the condemning party. Some people said that worked better for them than it did for others. Some did not feel they had enough power to negotiate a good agreement. This really does not expand that power but it did make it much more clear that they had a right to ask for mitigations. These mitigations were mostly seen as a compensation. This compensation would also address ranchers' operations and the increased burden of operating when a project crossed their property. **Ms. Page** urged support of **HB 93**.

***{Tape : 1; Side : A; Approx. Time Counter : 13.5 - 16.8}***

**Daniel Dutton, representing himself, Circle D Ranch, Belfry**, supported **HB 93** and provided written testimony, **EXHIBIT (nas23a03)**.

***{Tape : 1; Side : A; Approx. Time Counter : 16.8 - 19.5}***



**Steve Gilbert, representing himself**, stood in support of **HB 93**. He stated that as a consulting biologist he had spent years working on various linear projects. A linear project would include anything from a power line, a pipe line, or a railroad. He became familiar with the Tongue River valley working on mine permits in the Bernie and Decker areas. He did technical documents for support of the Interstate Commerce Commissions and the Environmental Impact Study on the Tongue River Railroad. It was at that period of time that he became familiar with problems affecting farmers and ranchers in the Tongue River valley. Among the problems was the fact that although a mine site might of had impacts specific to a small area, linear projects, many of which were acquired through at least the potential of the process of condemnation, were completely different. In linear types of projects it could completely isolate populations of animals. Among those populations could be a private party's herefords, part of their pig operation, or their hayfields. It also created a problem from the perspective of management in that things, such as fire that might occur on one side or another of a railroad line, had an impact that far exceeded the potential of impact to that strip of land that had been condemned. For all of these reasons, he urged support of **HB 93**.

*{Tape : 1; Side : A; Approx. Time Counter : 19.6 - 22.0}*

**Steve Wade, Burlington Northern & Santa Fe Railway**, supported **HB 93** and stated they had some concerns and those concerns were taken care of by an amendment in the house and with those amendments they supported anything that would make the eminent domain process more easily understandable and brings to light the damage issues or the issues with the property that should be addressed upfront in the negotiations.

*{Tape : 1; Side : A; Approx. Time Counter : 19.6 - 22.9}*

**SEN. MACK COLE, SD 4, Hysham**, rose in support of **HB 93** and stated that as the chairman of the Eminent Domain Study Subcommittee he wanted to share that the study group looked at many ideas. He was pleased to hear that **Ms. Charter**, from his district, was able to use the eminent domain procedures and was able to get much more money than had first been offered to her. He thought this showed that the eminent domain process had been working in the past but thought that **HB 93** would be available to be used in times when agreements could not be put together between the person who would be the condemnor and the person who owned the land that was being taken. It would go into effect with the eminent domain process so that various services could be provided to the people of Montana.



**{Tape : 1; Side : A; Approx. Time Counter : 22.9 - 25.3}**

**Opponents' Testimony: None.**

**Questions from Committee Members and Responses:**

**SEN. LORENTS GROSFIELD, SD 13, Big Timber,** asked what happened with this bill in the House as to what was wrong with the court doing this. **REP. GILLAN** responded it was inadvertently put in the wrong place and referenced exhibit one. This error was corrected as that part of the process actually occurred with the commissioners that actually went out to look at the land and entered the final judgment. The amendment just put that statement back in so that part of the bill stayed the same.

**{Tape : 1; Side : A; Approx. Time Counter : 25.3 - 26.7}**

**VICE-CHAIR DALE MAHLUM, SD 35, Missoula,** said that a few years ago the Yellowstone Pipeline had tried to come through an area of his district and even through some of his own land. He asked **Ms. Charter** if she thought that these revisions being proposed would have been beneficial to his constituents with their issues. He stated that they fought very hard against this coming through their individual ten-acre to twenty-acre farms up Ninemile. **Ms. Charter** said she thought it would have aided the people but probably would not have stopped the project. Often routing could help in terms of damages if the land areas were small. This bill would also address issue of damage to the remainder of land, the holdings. In her case, they received a lot more money, not specifically because of damage to the agricultural operation, because her area was sub-dividable and the big lines really ruined some of the re-sale value. The rangelands were used, only a very small parcel, and that was not the total effect as it was the damage to the value of the remainder and the surrounding property. She felt that the condemnor should have to compensate for the damage to the holding and urged passage of **HB 93**.

**{Tape : 1; Side : A; Approx. Time Counter : 26.7 - 29.1}**

**SEN. GROSFIELD** said we had been talking about private condemnors and asked if this bill would apply to public condemnors also. **Ms. Charter** advised that it would.

**{Tape : 1; Side : A; Approx. Time Counter : 29.1 - 29.4}**

**Closing by Sponsor:**



**REP. GILLAN** closed by saying that, by the diverse group of people that had joined together as proponents today, this bill was very fair and thought that was a very positive sign and urged passage of **HB 93**.

**SEN. MACK COLE** will carry **HB 93** on the Senate floor.

**CHAIRMAN CRISMORE** closed the hearing on **HB 93**.

*{Tape : 1; Side : A; Approx. Time Counter : 29.4 - 30.3}*

**HEARING ON HB 22**

**Sponsor:** **REP. MONICA LINDEEN (D), HD 7, Huntley**

**Proponents:**      **HOUSE SPEAKER DANIEL W. "DAN" MCGEE (R), HD 21, Laurel**  
                         **REP. KIM GILLAN (D), HD 11, Billings**  
                         **REP. JIM SHOCKLEY (R), HD 61, Victor**  
                         **Jeanne Charter, Northern Plains Resource Council**  
                         **Lorna Karn, Montana Farm Bureau Federation**  
                         **Don Allen, Western Environmental Trade Association**  
                         **Daniel Dutton, representing himself, Circle D Ranch, Belfry**  
                         **Julia Page, Northern Plains Resource Council**  
                         **Tom Ebzery, Attorney, Qwest, Billings**  
                         **Geoff Feiss, General Manager, Montana Telecommunications Association**  
                         **Gail Abercrombie, Montana Petroleum Association**  
                         **Steve Gilbert, biologist, representing himself**  
                         **Jeff Barber, Clark Fork Coalition**  
                         **Steve Wade, Burlington Northern & Santa Fe Railway**  
                         **SEN. MACK COLE (R), SD 4, Hysham**

**Opponents:**      **None.**

**Opening Statement by Sponsor:**

**REP. MONICA LINDEEN, HD 7, Huntley**, opened by saying her district included eastern Yellowstone County, all of Treasure County and portions of Rosebud County including Colstrip. She stated there were several eminent domain bills introduced and proposed during the last legislative session and unfortunately all of those bills were tabled in committee. She believed the reason had to do with a lot of confusion with the eminent domain process and statutes



and many had since been educated about that process. There was a resolution that created a study group before the interim and she thought the education that came from that for all and from all parties of interest was invaluable. Eminent domain was an emotional issue involving private property rights and the taking of those property rights. Eminent domain was an awesome power. The idea contained in **HB 22** was actually one of the bills that was presented in 1999. Now that there was this better understanding from the knowledge gained, everyone was much better prepared to move forward with the idea. **HB 22** really only clarified existing law.

***{Tape : 1; Side : A; Approx. Time Counter : 30.3 - 33}***

The EQC and the study committee agreed that the Montana Department of Transportation (DOT) would be exempt because of highway department needs for fee title in order to create the state's main utility corridors. **HB 22** was a bill for an act that would clarify that an easement was the preferred interest to be taken in a condemnation proceeding unless the parties agreed that a greater interest should be taken or the condemnor showed by a preponderance of the evidence that taking a greater interest was necessary. It would also provide an exemption for state highway purposes and would amend sections 60-4-102, 70-30-104, and 70-30-206 of the Montana codes and would be effective immediately.

***{Tape : 1; Side : B; Approx. Time Counter : 0 - 0.6}***

**Proponents' Testimony:**

**SPEAKER DAN MCGEE, HD 21, Laurel**, stated his district included the southwest area of Billings and Yellowstone County and rose in support of **HB 22**. This was another one of those ideas that came out of a meeting with a landowner where they discussed these issues of eminent domain. **SPEAKER MCGEE** stated it was important to understand that rules change. When a lot of the current eminent domain laws came into being there were monopolies. There were a few entities that had to deal with these sorts of things. Today that was not the case and anybody could form a company. For example, if a telecommunications company wanted to put in a fiber-optical line between here and Great Falls and if that doing chartered itself to be a telecommunications company then they would be an agent of the state and have the power to utilize the eminent domain process. Therefore we were not playing by the same rules as when the eminent domain laws were written. This bill was an attempt to clarify existing law. He felt this was an important bill because it would make the default setting for a taking to be an easement unless someone could show that a difference taking was necessary. He urged passage of **HB 22**.



**{Tape : 1; Side : B; Approx. Time Counter : 0.6 - 2.8}**

**REP. KIM GILLAN, HD 11, Billings, rose** in support of **HB 22** and stated she also was a participant in that eminent domain study committee. She thought **REP. LINDEEN** did an excellent job of describing not only the content of the bill but also the deliberations that went into getting to this point. She urged support of **HB 22**.

**{Tape : 1; Side : B; Approx. Time Counter : 2.8 - 3.4}**

**REP. JIM SHOCKLEY, HD 61, Victor,** stated his district covered the northern portion of Ravalli County. He supported **HB 22** and stated he thought the most important part of this bill was the part that created a presumption for an easement. It was rebuttable but it created a presumption and that was probably what the law already said. **HB 22** would make this quite clear.

**{Tape : 1; Side : B; Approx. Time Counter : 3.4 - 3.9}**

**Jeanne Charter, Northern Plains Resource Council,** rose in support of **HB 22** and offered written testimony, **EXHIBIT(nas23a04)**.

**{Tape : 1; Side : B; Approx. Time Counter : 3.9 - 4.9}**

**Lorna Karn, Montana Farm Bureau Federation,** stood in support of **HB 22** and stated the reason being that with the easement clarified as the default these land taken would then revert back to the private property owner after it was no longer being used. This was a big concern and issue that ranchers and farmers had always had. She hoped for passage of **HB 22**.

**{Tape : 1; Side : B; Approx. Time Counter : 4.9 - 5.8}**

**Don Allen, Western Environmental Trade Association,** supported **HB 22** and stated he echoed what **SPEAKER MCGEE** and **SEN. COLE** said in terms of the importance of the bill from the standpoint of the changing times and expanding activities. In terms of telecommunications and health care communications for the small communities and the rapid expansion of those kinds of needs that served the rural areas of the state, he thought what **HB 22** would do was really clarify the important part of the relationship with landowners. He felt **HB 22** deserved a DO PASS vote.

**{Tape : 1; Side : B; Approx. Time Counter : 5.8 - 6.9}**



**Daniel Dutton, representing himself, Circle D Ranch, Belfry,** rose in support of **HB 22** and provided written testimony, **EXHIBIT (nas23a05)**.

*{Tape : 1; Side : B; Approx. Time Counter : 6.9 - 8.7}*

**Julia Page, a Gardiner business owner, representing Northern Plains Resource Council,** stood in support of **HB 22** and stated she was also a member of the public on the subcommittee of EQC that worked on this study of eminent domain. Eminent domain was an inherent and fundamental right of government and was on par with the right to tax and the right to police. As such then, while the laws governing this did not authorize the use of eminent domain, they limited the use of eminent domain, limiting the power to the state as apprized to the right of the state to take private property against the wishes of the private landowner. **HB 22** was not a new concept here but clarified a concept that easement was presumed to be sufficient for a project for public use. Several public meetings were held around the state during the work of the subcommittee. In Billings, a number of people came forward with a number of good reasons why they felt that an easement should be the presumption and that should be made more clear. They brought up several instances. When one travelled to Roundup or Harlowton, one could see that when the railroad left some of the ranchers had a chance to buy back their property but others did not. There were weeds growing down fences, trailer houses in front of ranches, etc. Another rancher told of an instance when a project was abandoned, the rancher had to buy back the strip of land that had cut their place in half with the taking under eminent domain. If that project had only required a lease or easement then that land could have reverted back to the landowning rancher. She stated that seemed more right. Other examples were also brought up regarding abandoned railroads being converted to bike paths and trails and some landowners did not welcome that, yet did not have the right to get back their property after the public use no longer needed it. **HB 22** was welcomed and she urged passage of it.

*{Tape : 1; Side : B; Approx. Time Counter : 8.7 - 11.8}*

**Tom Ebzery, Attorney, Qwest, Billings,** rose in support of **HB 22** and stated he also served as a public entity on the EQC subcommittee chaired by **SEN. COLE**. He felt **HB 22** was a good clarification of the current law and felt this bill should be supported as it represented the best that could have been done during this time.

*{Tape : 1; Side : B; Approx. Time Counter : 11.8 - 13}*



**Geoff Feiss, General Manager, Montana Telecommunications Association,** supported **HB 22** by saying that he also echoed what the others had already said and noted these were pretentious issues. **SEN. COLE's** committee studying eminent domain and the leadership of that venture brought this all together and it deserved support of **HB 22**. On the side of independent telecommunications providers as he represented, he wanted to state that eminent domain was always the last resort. They had not condemned land to date and always preferred easement.

*{Tape : 1; Side : B; Approx. Time Counter : 13 - 14.1}*

**Gail Abercrombie, Executive Director, Montana Petroleum Association,** stood in support of **HB 22**. Representing the pipelines that were involved in this particular discussion, she stated it became apparent that the pipelines' principally do use easements. The clarification would bring some piece of mind to the folks that were concerned about it and the Montana Petroleum Association supported this bill.

*{Tape : 1; Side : B; Approx. Time Counter : 14.1 - 14.7}*

**Steve Gilbert, representing himself,** was a consulting biologist and rose in support of **HB 22**. He felt that anytime there was an opportunity to help a landowner to work in a bi-partisan way and come to an agreement and to clarify existing law, it was a good thing. He urged support of **HB 22**.

*{Tape : 1; Side : B; Approx. Time Counter : 14.7 - 15.1}*

**Jeff Barber, Clark Fork Coalition,** supported **HB 22** and stated what a difference two years had made. Last session, nearly an identical bill was introduced and was met with heated opposition. With two years of time and with the EQC process, it had finally appeared everyone agreed that this was actually a nice clarification in the law. He stated he appreciated the support of this bill.

*{Tape : 1; Side : B; Approx. Time Counter : 15.1 - 16}*

**Steve Wade, Burlington Northern and Santa Fe Railway,** supported **HB 22** and praised everyone for coming together to work on this issue in a civil manner. He felt that this proposal just clarified how the existing law already was being exercised through case law. The extent that the eminent domain process was more easily understandable was something he thought this study had brought to light. As the eminent domain process was very complex and very technical and it took time to really get into the detail of it to understand it. He applauded the efforts of



EQC to make it more clear and understandable and urged support of **HB 22**.

**{Tape : 1; Side : B; Approx. Time Counter : 16.0 - 17.0}**

**SEN. MACK COLE, SD 4, Hysham**, rose in support of **HB 22** and stated he also echoed earlier testimony but would spare repeating it. He commented that most of his concerns regarded the old Milwaukee Railroad lines. In his area, he thought it interesting they had a county road, a main Burlington Northern & Santa Fe Railway, the old Highway Ten, the Cenex pipeline, a 230 KB line out of Colstrip and Interstate 94 running through his district. About half of them were fee and the other half had easements on them. Most of them worked out fine. The one that did cause some problems was when you had an interstate run through because it could often divide one's property in half and noted that exemption for DOT. He did urge support of **HB 22** and applauded **REP. LINDEEN** for her work and efforts on this proposal.

**{Tape : 1; Side : B; Approx. Time Counter : 17 - 19.3}**

**Opponents' Testimony:**       None.

**Questions from Committee Members and Responses:**

**SEN. GLENN ROUSH, SD 43, Cut Bank**, asked what "fee simple interest", on line 19 of the bill, related to. **REP. LINDEEN** stated fee simple interest was the "whole title" for a parcel of property. **SEN. ROUSH** then asked if coal was considered a mineral. **SEN. COLE** stated it was.

**{Tape : 1; Side : B; Approx. Time Counter : 19.1 - 21.0}**

**Closing by Sponsor:**

**REP. LINDEEN** closed by saying that **HB 22** was supported by such a diverse group and that was really a great thing. She hoped she could serve long enough to see another bill gain this kind of support. At one of the House committee hearings on this bill, an intern attending that hearing as his first for a lobbying group asked if all of the hearings were like that. This was a significant moment in history to be noted and might never be seen again. She applauded **Krista Lee Evans, legislative staffer** on that study committee, as it was her first interim committee and she did an incredible job. She also stated she appreciated all the members and everyone that came from such long distances today to show their support. **REP. LINDEEN** stated she thought the passage of this bill would go a long way in promoting and



building some trust with landowners across the state. She urged passage of **HB 22**.

**SEN. MACK COLE** will carry **HB 22** on the Senate floor.

**CHAIRMAN CRISMORE** closed the hearing on **HB 22**.

*{Tape : 1; Side : B; Approx. Time Counter : 21 - 23.7}*

**CHAIRMAN CRISMORE** advised we would not be meeting on Wednesday, January 31. Our committee had received more bills though it was too late to post the 72-hour notice required to hear them on Wednesday. We would be meeting again on Friday, February 2, 2001. **SEN. BEA MCCARTHY** also shared that it was significant to her how everyone came together and worked together so well on these issues.



**ADJOURNMENT**

Adjournment: 3:55 P.M.

*{Tape : 1; Side : B; Approx. Time Counter : 23.7 - 25.7}*

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SEN. WILLIAM CRISMORE, Chairman

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NANCY BLECK, Secretary

WC/NB

***EXHIBIT*** (nas23aad)